

Abstract: Values, legal consciousness and law

This thesis deals with legal values and their importance for the decision making of legal subjects. First it introduces a general model of a world, which can be used for any world with consistent effects. From that it deduces what can be considered an individual person and how such individuals behave. Who we consider an individual is dependent on our subjective choice. While choosing a particular individual we can express their relationship to their environment with a certain attitude of thought. If mutually corresponding thought attitudes can be shared by different individuals in such a way that the conveyance of them would correspond to a certain thought of a different individual, we use the term *institution*.

Institutions are not considered to be existing objectively, however they help us interpret objective facts. Institutions include natural and artificial persons, the state and the law. The state emerges in a power struggle, although under the influence of morality. Morality is a type of institution, which is created by an interaction among individuals and through a compromise between their aspirations. This thesis decides for a consequentialist approach to morality, while objections against consequentialism are either refuted or shown to be able to be assimilated into consequentialism.

Furthermore it is shown, that it is impossible to objectively state, who should be considered a legal person, because the choice of personality is necessarily dependent upon relationships among individuals. Considering a closer connection of natural persons to these relationships and their interest being an object of these relationships, artificial persons are only a tool for a fulfillment of their interests. That is why power relationships do not change as a result of an existence of artificial persons.

Individuals do not necessarily have to have equal rights and obligations, at least these follow neither from the structure of the world nor from derived moral rules. All things considered, reasons for an existence of various rights and obligations of individuals do not generally contradict a consequentialist attitude. This thesis focuses more on basic principles that define rights and value attitudes.